IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE K.THANKAPPAN

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

RP.No. 175 of 2005()

AGAINST THE JUDGEMENT IN WA.580/2003 Dated 11/10/2004
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PETITIONER/APPELLANT IN WA

K.ASOKAN, AERAL VEEDU, PRALAYAGIRI,
THOKKAD P.O., VARKALA.

BY ADV. SRI.N.DHARMADAN (SR.)
SMT.R.RANJINI

RESPONDENTS: RESPONDENTS IN WA
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, EXCISE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. COMMISSIONER OF EXCISE, OFFICE OF
THE COMMISSIONER OF EXCISE, THIRUVANANTHAPURAM.

3. ASST.EXCISE COMMISSIONER, OFFICE
OF THE ASST.EXCISE COMMISSIONER, KOLLAM.

4. VANCHU KAMAL, MANJU BHAVAN,
KADAKKAL VILLAGE, KADAKKAL.

5. ADDL.RESPONDENTS
5. SUPERINTENDENT OF POLICE, OFFICE OF THE
SUPDT.OF POLICE, KOLLAM.

6. SUB INSPECTOR OF POLICE, KADAKKAL,
KOLLAM.

7. SUB REGISTRAR, OFFICE OF
THE SUB REGISTRAR, KADAKKAL, KOLLAM.

BY GOVERNMENT PLEADER SRI.BASANT BALAJI
SRI.T.P.KELU NAMBIAR (SR.)
SRI.P.R.RAMACHANDRA MENON
SRI.B.SAJEEV KUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 28/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S. RADHAKRISHNAN & K. THANKAPPAN, JJ.

R.P.NO.175 OF 2005
in
W.A.No.580 of 2003

Dated this the 28th day of September, 2007.

O R D E R

Radhakrishnan, J:

The grounds urged in the writ appeal by the review petitioner cannot be entertained by this Court since a civil suit is pending between the parties. The writ petition was disposed of by a learned Single Judge giving opportunity to the petitioner to challenge the impugned orders before the appropriate forum. Since the civil suit is pending, we do not find any reason to entertain this review petition. However, we make it clear that dismissal of the review petition will not stand in the way of the review petitioner raising all his contentions before the civil court.

K.S RADHKARISHNAN JUDGE,

K. THANKAPPAN, JUDGE.

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